

MEMO ENDORSED

Kenneth R. Silverman, Esq.
Attorney for Defendants Keya Morgan
and Keya Gallery
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By Hand:

United States District Judge Berman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MOTION DUE ON OR BEFORE 4/8/08;
RESPONSE BY 4/23/08; REPLY BY
4/30/08. SEE COURT'S RULES RE:
PAGE LIMITS. THE MOTION WILL BE
DECIDED ON SUBMISSION.

SO ORDERED:

Date: 3/28/08

Richard M. Berman
Richard M. Berman, U.S.D.J.

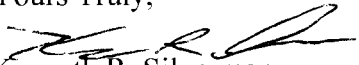
Re: Pete Livingston v. Keya Morgan and Keya Gallery, Case
Number 07 CV 7835 (RMB) (KNF) - Letter requesting clarification
regarding the Docket Report Posting on 03/25/08

Hon. Judge Berman:

As per the pre-motion conference held on 03/11/08, the minutes to which were put on the Docket, Plaintiff was given to 3/18/08 to amend the complaint and defendants until 4/08/08 to file its Motion to Dismiss. On 3/25/08, the Docket Report indicates the filing of an Affidavit of Service for the Second Amended Complaint, and states Defendants have to 04/07/08 to Answer, which clearly conflicts with the deadlines assigned at the pre-motion conference, giving the defendants until 04/08/08 to file its pre-answer Motion to Dismiss under FRCP 12 (b) (6), FRCP 12 (a) (4).

The Defendants respectfully request a clarification regarding the 3/25/08 Docket Report entry at this time.

Yours Truly,


Kenneth R. Silverman
Attorney for Defendants Keya Morgan
and Keya Gallery

